

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION**

Christopher Courtland Channell,)
)
Plaintiff,)
)
v.) Civil Action No.:5:19cv172-MGL
)
Andrew Saul, Commissioner,)
Social Security Administration,)
)
Defendant.)

CONSENT ORDER

This matter is before the Court on Plaintiff Counsel's Motion for Attorney's Fees under the Equal Access to Justice Act. (Dkt. Doc. No. 23.) On December 17, 2019, the Court reversed the Commissioner's decision that had denied Plaintiff's claim for Supplemental Security Income and remanded the case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. Doc. No 21.) Plaintiff then filed and documented a request for fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 ("EAJA"). However, Plaintiff's EAJA request listed two different amounts and, therefore, it was unclear which amount Plaintiff was requesting. The Commissioner filed a response indicating his consent to Plaintiff's request, but without clarifying the amount to which he consented. (Dkt. Doc. No. 24.) At the Court's request, the parties have conferred and agreed that Plaintiff should be awarded Three Thousand Four Hundred Twenty-Two dollars and 25/100 cents (\$3,422.25) under the EAJA.

Accordingly, the Court grants the motion and directs the Commissioner to pay Plaintiff \$3,422.25. Such payment shall constitute a complete release and bar from any and all further claims that Plaintiff may have under EAJA to fees, costs, and expenses incurred in connection with disputing the Commissioner's decision. This award is without prejudice to the rights of Plaintiff's counsel to seek attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), subject to the offset provisions of EAJA.

Under Astrue v. Ratliff, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees awarded by this Court belong to the Plaintiff and are subject to offset under the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B)(2006). Therefore, the Court orders EAJA fees to be paid to the Plaintiff.

SO ORDERED, this 18 day of March, 2020.

s/ Mary Geiger Lewis
The Honorable Mary Geiger Lewis
United States District Judge
District of South Carolina